(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF BOMBAY AT GOA
PANAJI – GOA
APPELLATE SIDE

WRIT PETITION NO. 463 OF 2004

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. D.J. Pangam, Advocate for the petitioner.

Mr. A.N.S. Nadkarni, Advocate General with Ms. S. Linhares, Addl. Govt. Advocate for respondents No.1 and 2.

CORAM : B.H. MARLAPALLE &
N.A. BRITTO, JJ.

DATE : 18TH OCTOBER, 2004.

P.C.

We have heard Mr. Pangam, the learned Advocate for the petitioner, who prays for an order in the nature of mandamus to transfer the pending case from respondent No.2 to some other Authority and this prayer is based on an order passed by the learned Single Judge in Writ

2. When a quasi-judicial proceeding is to be transferred from one Authority to another, there must be some prima facie material before us to come to the conclusion that the said Authority is biased against the petitioner/a litigant and, therefore, justice is not likely to be done. There is no such material in the instant case and Mr. Pangam relies upon an earlier order dated 19th September, 2002 in Writ Petition No. 289/2002 and more particularly the statement of the petitioner that the Authority concerned was going to hold against the petitioner as the Chairman of the Society had told him to do so. Quasi-judicial proceedings cannot be transferred so lightly and, therefore, we do not find any force in the contention that the respondent No.2 is biased or predetermined to decide the pending proceedings against the

petitioner The petition is rejected summarily.

B.H. MARLAPALLE, J.

N.A. BRITTO, J.

ssm.